



U.S. Department of Justice

United States Attorney  
Southern District of New York

86 Chambers Street  
New York, New York 10007

July 7, 2025

VIA ECF

Hon. Arun Subramanian  
United States District Judge  
United States District Court  
500 Pearl Street  
New York, New York 10007

Re: *Lera v. Noem, et al.*, No. 25 Civ. 2795 (AS)

Dear Judge Subramanian:

This Office represents the government in this action in which the plaintiff seeks an order compelling U.S. Citizenship and Immigration Services (“USCIS”) to adjudicate an application for an immigration benefit—specifically, Form I-589, Application for Asylum and for Withholding of Removal. *See* Complaint ¶ 1, ECF No. 1. I write jointly with plaintiff’s counsel to respectfully request an adjournment of (1) tomorrow’s initial pretrial conference; (2) the related pre-conference submission; and (3) the government’s time to answer or otherwise respond to the complaint.

The parties apologize for failing to file the pre-conference submission, which was required to be filed under the Court’s individual rules last Wednesday. Due to an oversight, counsel for the parties did not calendar the date.

**Status update.** USCIS is scheduling an interview for plaintiff’s asylum application, and will issue a notice of interview no later than tomorrow. In our experience, cases of this type typically are either consensually dismissed in light of the interview notice or resolved through the government’s motion to dismiss the mandamus action as moot in light of adjudicatory steps taken. The parties do not expect that discovery will be necessary. Therefore, we respectfully submit that adjourning the pretrial conference and related submission without date will conserve the Court’s and the parties’ time.

Finally, plaintiff’s counsel has authorized me to note that he is on a planned vacation, with limited access to telephone reception, which would make it difficult for him to attend tomorrow’s telephone conference.

**Scheduling proposals.** The parties therefore make the following scheduling proposals.

- First, we respectfully propose that both the initial pretrial conference and the related pre-conference submission be adjourned without date, because as noted above, we do not expect that discovery will be necessary.
- Second, we respectfully propose that within 60 days—or by September 8, 2025—the parties file either a stipulation of dismissal, or a joint status report outlining any further steps that may be necessary before the matter can be resolved.

- Third, we respectfully request that the government's time to answer or otherwise respond to the complaint be adjourned without date. To the extent the parties are not able to consensually resolve this matter, an appropriate schedule for next steps can be set in the joint status report or by the Court.

I thank the Court for its consideration of this request.

Respectfully submitted,

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cc: Counsel of record (via ECF)

Application granted in part. The initial pretrial conference is hereby adjourned to September 5, 2025, at 3:00 PM, and the government's time to respond to the complaint is adjourned to the same date. If the parties do not stipulate to dismissal by that date, they should be prepared to proceed with this case. The Clerk of Court is respectfully directed to terminate the motion at ECF No. 8.

SO ORDERED.



Arun Subramanian, U.S.D.J.  
Date: July 7, 2025